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| TEMPLATE REGULATION 9 CERTIFICATE *Native Title Act 1993* (Cth) (NTA)  *Native Title (Indigenous Land Use Agreements) Regulations 2024* (Cth) (ILUA Regulations)  *Native Title (Prescribed Body Corporate) Regulations 1999* (Cth) (PBC Regulations). |  |

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| REGULATION 9 CERTIFICATE |
| EXPLANATORY NOTE:  If:   * a registered native title body corporate (RNTBC) is party to the agreement, and * the agreement gives effect to a ‘native title decision’ as defined in Reg 3 of the [*Native Title (Prescribed Bodies Corporate) Regulations 1999*](http://www.comlaw.gov.au/Details/F2012C00151/Html/Text#_Toc319504059) (Cth) (PBC Regulations), and * for any part of the agreement area there is one or more Representative Aboriginal / Torres Strait Islander Bodies (RATSIBs) or Native Title Service Providers (NTSPs), and * none of them is a party (or there is no RATSIB/ NTSP for the agreement area), then your application must be accompanied by a certificate under Reg 9 of the PBC Regulations.  Reg 9(3) provides that all of the following information must be included in the certificate: * the date of the certificate; * details of the process of making the decision by the prescribed body corporate; * details (including names) of the persons who participated in the process of making the decision by the prescribed body corporate; and * details of either:   + - the process of approval under reg 8(8) (standing instructions decisions), or     - the consultation and consent process with the common law holders.   The Registrar has developed the following template to assist in drafting a Reg 9 certificate.  Delete all words in *[square brackets]* and insert relevant details only. |

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| **Certification by Prescribed Body Corporate under Regulation 9 of the *Native Title (Prescribed Bodies Corporate) Regulations 1999* (Cth) (PBC Reg)** |
| *[INSERT RNTBC name and ICN number]*  (the body corporate) certifies that:  *Reg 9(3)(b) Details of the process of making the decision*  *[Insert details of the ‘native title decision’ of the RNTBC, including the process of decision-making. For eg: a resolution of the RNTBC directors to make the native title decision, in accordance with the relevant PBC Rule Book provisions, etc.]*  *[AND]*  *Reg 9(3)(c) Details (including names) of the persons who participated in the process of making the decision*  *[Insert names of the persons who participated in the process of making the RNTBC decision. For eg: RNTBC directors present for the making of the native title decision, etc.]*  *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*  *[Retain only the applicable option below]*  *Reg 9(3)(d): Details of approval for standing instructions decisions*  *[Insert details of the process of approval for the standing instruction decision/s given by the relevant common law holders to the RNTBC to enter into such agreements under PBC Reg 8(2) and 8(8).] [OR]*  *Reg 9(3)(e): Details of common law holder consultation and consent process*  *[Insert details of the consultation and consent process with the common law holders regarding the decision to enter into the Agreement in accordance with PBC Reg 8 or 8A. For eg: relevant PBC Rule Book provisions, etc] [AND]*  *[Insert details regarding the decision-making process by which the common law holders gave their consent to enter into the Agreement (see PBC Regs 8(3), 8(4) and 8A) For eg: notice and minutes of a common law holder meeting, traditional/agreed and adopted decision-making process, etc].*  *Reg 9(3)(a) Date of the certificate:* date / month / 20XX  Executed by the body corporate in accordance with subsection 99-5(1) or (2) of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth):    PRINT NAME POSITION SIGNATURE    PRINT NAME POSITION SIGNATURE  [OR] Signed by the chief executive officer of the body corporate:    PRINT NAME SIGNATURE |